

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION**

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RODERICK RAY,	)	
	)	
	)	
Movant,	)	
	)	
v.	)	Cv. No. 1:14-cv-01095-JDB-egb
	)	Cr. No. 1:11-cr-10081-1-JDB
	)	
UNITED STATES OF AMERICA,	)	
	)	
	)	
Respondent.	)	
	)	

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**ORDER DIRECTING CLERK TO UPDATE THE DOCKET  
AND  
DIRECTING UNITED STATES TO RESPOND**

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On April 22, 2014, Movant, Roderick Ray, Bureau of Prisons register number 55858-056, an inmate at the Federal Correctional Institution in Bennettsville, South Carolina<sup>1</sup> (“FCI Bennettsville”), filed a *pro se* Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody. (§ 2255 Mot., ECF No. 1.)

It is ORDERED, pursuant to Rule 5(a) of the § 2255 Rules that the United States file a response to the § 2255 Motion within twenty-eight days from the date of entry of this order.

It is further ORDERED that Movant’s trial counsel, attorney Dianne Smothers, is released from the attorney-client privilege to the extent necessary to submit an affidavit of counsel and such other documents as may be necessary for the United States to respond adequately to Movant’s § 2255 Motion. All other matters shall remain privileged.

Pursuant to Rule 5(e), Movant may, if he chooses, submit a reply to Respondent’s answer or response within twenty-eight days of service. Movant may request an extension of time to

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<sup>1</sup>The Clerk is directed to update Ray’s address on the docket.

reply if his motion is filed on or before the due date of his response. The Court will address the merits of Movant's § 2255 Motion, or of any motion filed by Respondent, after the expiration of Movant's time to reply, as extended.

IT IS SO ORDERED, this 2nd day of April, 2015.

**s/ J. DANIEL BREEN**

J. DANIEL BREEN

CHIEF UNITED STATES DISTRICT JUDGE